

November 27, 2002

Wallace Reid  
U.S. Environmental Protection Agency (EPA)  
1200 SW 6<sup>th</sup> Ave  
Seattle, WA 98106

Re: Draft Work Plan & Round 1 Field Sampling Plan:  
Portland Harbor Remedial Investigation/Feasibility Study

Dear Mr. Reid:

The Portland Harbor Citizen Advisory Group (PHCAG) is a citizens' group working toward the successful outcome of the Portland Harbor Superfund clean up. The PHCAG is pleased to present its initial comments of the Draft Work Plan & Round 1 Field Sampling Plan for the Remedial Investigation/Feasibility Study for the Portland Harbor Superfund Site submitted by the Lower Willamette Group (LWG). We have reviewed the plan and documents provided by the LWG, Oregon's Department of Environmental Quality (DEQ), and Willamette Riverkeeper (WRK). We have also received briefings from LWG, DEQ, EPA, and WRK.

We note that only ten of the sixty or more potentially responsible parties (PRPs) responsible for the Harbor's clean up, as identified by the EPA, have signed the Administrative Order on Consent. The PHCAG considers it important that the LWG endeavor to expand its representation to include all the PRPs.

In general the PHCAG agrees with the comments provided by both the DEQ and WRK. Major deficiencies in the draft plan have been identified both by the DEQ and WRK. It is apparent that the draft plan will not produce a satisfactory risk assessment of the contamination levels of the Harbor. Without a proper baseline risk assessment it will not be possible to determine the necessary actions that will be required to remove that risk. In layman's terms, we need accurate information about how contaminated the Harbor is before we can determine what result will represent successful cleanup. The current draft plan does not do that satisfactorily.

The PHCAG would like to place special emphasis on the following points:

USEPA SF



1436966

*LWG agrees  
their signed on for  
RI/FS may ①  
eventually will  
be 100's to 1000's  
of PRPs* →

Evaluation Process: The Round 1 FSP currently proposed is inadequate to determine the extent of the Harbor's contamination or identify in-water sources of contamination. The draft sampling plan does not ensure the identification of the nature or extent of the contamination. The absence of toxicity sampling is a serious deficiency. Higher sediment sampling densities and more appropriate toxicity samplings are both clearly necessary.

DEQ vs. EPA Standards: The DEQ has more rigorous toxicity standards than the EPA. The PHCAG strongly endorses the use of Oregon's standards in Portland Harbor Superfund process. We have been assured by the DEQ that the more rigorous state standards will be utilized in this process. We would like confirmation from the EPA that Oregon's standards will be utilized. We have also been advised that variances may be granted from state standards. We would like to be advised as to the circumstances under which such variances may be allowed and what public notice provisions are anticipated for potential variances. A table of the differences between the DEQ standards and the EPA standards has been prepared by WRK (see WRK's comments).

Initial Study Area (ISA): The LWG's responses to questions raised concerning the size of the ISA by WRK essentially indicated that the EPA would be responsible for determining the ISA. We feel the ISA is a critical component of the clean up and would like to know the criteria being used by the EPA to determine the ISA and what timetable can be anticipated to finalize the ISA to ensure proper attention to Native American cultural practices and subsistence-level receptors.

Fish Tissue Sampling: It is important to include all fish species in the fish sampling/testing that may pose a potential risk to the community. Semi-anadromous fish such as sturgeon represent a serious omission from the draft plan. Sturgeon are on the top end of the fish food ladder and accumulate contaminants over a much longer period of time than most other species. The semi-migratory nature of these fish does not negate the need for them to be included in the study. Many sturgeon will stay in one location for long periods of time. It is likely that if they are contaminated the source of their contamination is the Portland Harbor. The fish consumption health risks to the community should take precedence over the semi-anadromous nature of some sturgeon.

Hotspots: There are more than a dozen sites in The Portland Harbor identified as areas of major contamination and commonly known as "hotspots". The CAG believes these should be targeted for immediate remedial action. In cases where clean up methods can be employed which would reduce known contaminants on and from these sites, the Harbor would benefit from the immediate application of these methods. Potential impacts to ongoing or scheduled investigations at these and other sites could be noted, and subordinated to cleanup actions. We would like the EPA to draw from the list of Tier 1 sites established by DEQ and produce a report which outlines clean up methods and schedules to expedite remedial action for these sites. To wait for the comprehensive assessment and subsequent clean up of the Harbor (5 to 7 years) is not advised.

Toxicity  
sampling  
we agreed →

DEQ vs EPA  
ARPS -  
state concurs  
at end →

ISA  
ultimately EPA  
will determine  
move from area  
outwards until  
you run out of cont.  
sturgeon →

will  
take into  
consideration

early  
actions →  
Agree -  
candidates for  
early action.  
priority for  
us too

work groups working on many specific items  
offer

Additionally, it is of concern to the PHCAG that the EPA has not as yet publicly commented on LWG's draft plan. We feel, being the lead government agency in this process, that your views and comments on the proposed plan are very important. This is particularly true in the early formative plans and activities as they create the base and foundation for the entire Portland Harbor clean up.

We also urge the LWG or the EPA provide the public a condensed, non-technical but accurate summary of this draft plan and additional technical documents as they are made available to you by the LWG.

We want to thank you, the DEQ, and the LWG for including the citizens of Portland in this most important endeavor and for the assistance that has been provided the PHCAG. We look forward to working with you to make Portland's harbor once again a safe place for all us to enjoy and of which we can be proud.

Sincerely,

Travis Williams  
Chair, Portland Harbor Citizen Advisory Group

cc: Chip Humpthey, EPA  
Eric Blischke, DEQ

WR-Vol 1

5. We will look at Wapato

7. Groundwater approach was inadequate - new WP should reflect that

APP 1

9. Don't allow background to be taken apart - hot topic  
10. R6's - table preliminary remediation goals defaults  
screening # not a decision #

If yes we agree surf H<sub>2</sub>O can't be elem!

904CC

Dioxins furans

Sturgeon - we agree it's important  
? is it a task for C&S